



CITY OF LOS ALAMITOS

police department

July 17, 1975

MEMORANDUM

TO: Michael A. Graziano, City Manager

FROM: Richard B. Ryan, Police Lt.

SUBJECT: Department Report - DR#75-885

Regarding my previous memorandum to you concerning departmental report, DR#75-885, Officer Lawrence Tochluk of this department has been issued an official department reprimand for violation of Police Department General Order #10, The Use of Force and Firearms. This reprimand will be placed in Officer Tochluk's personnel file.

The Police Department considers this a closed matter.

RBR/sag

*Noted & file
my*

July 17, 1975

MEMORANDUM

TO: Officer Lawrence Tochluk

FROM: LT. RICHARD B. RYAN


SUBJECT: Departmental Report - DR#75-885
Reprimand for Violation of General Order #10

On July 15, 1975, at 1522 hours, you were off duty and in the area of 11102 Lexington Avenue. At that time and at that location, you observed two suspicious persons coming from that address carrying stereo equipment. The action you took at that time, which was to approach the suspects and identify yourself as a Police Officer in an effort to check out the circumstances, is gratifying to me and the Chief of Police because it indicates a willingness to perform and a effort on your part. The subjects subsequently left the area and, at that point you indicate, and the fact is supported by individuals in the area, that you fired your off-duty weapon at the fleeing vehicle. You stated to responding officers and personnel of this department that you were shooting at the tires in an effort to stop the vehicle. The position from which you fired these six rounds was north on Lexington towards the heavily traveled intersection of Katella Avenue and Lexington. You also were firing in the direction of the Los Alamitos Country Club and Golf Course, the Los Alamitos Country Club Driving Range and the easternmost parking lot and personnel office of Arrowhead Products.

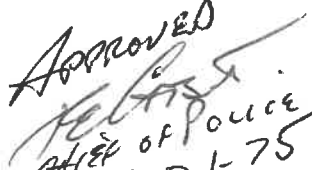
This action was in direct violation of General Order #10 of the Los Alamitos Police Department, which is the recognized department policy regarding the use of force and firearms.

This letter will serve as an official department reprimand in this action and will be placed in your personnel file permanently.


RICHARD B. RYAN, POLICE LT.


LAWRENCE TOCHLUK

7-17-75
Date

Approved

Chief of Police
7-21-75

LOS ALAMITOS POLICE DEPARTMENT

Date: 7 February 1969

General Order No. 10

SUBJECT: POLICY REGARDING THE USE OF FORCE AND FIREARMS

The following shall be the guide for personnel of the Los Alamitos Police Department as to the use of FORCE and FIREARMS.

1. That we do not use firearms or force likely to produce great bodily injury upon any person who is arrested solely on a misdemeanor charge.
2. That in all arrests (felony or misdemeanor) we do not employ any more force than is absolutely necessary.
3. That all arrests for a felony charge be based on reasonable cause determined from credible or observed acts.
4. That it is the full responsibility of each individual officer to use firearms only when absolutely necessary and fully justified by circumstances.
5. That firearms must be regarded as a defensive weapon and are to be used only as a last resort.
6. That each officer involved in the shooting of a person is subject to the same type of civil action for damages as may be brought against any citizen under such circumstances.
7. That officers are not to be restricted in the lawful performance of their duty. They have a positive duty to use firearms when the necessity exists in the protection of their own life and the lives of others.
8. A report shall be written immediately in all instances where an officer or reserve officer of this department fires a weapon while on or off duty, whether by design or accident except at an authorized range. The report shall be reviewed by the watch commander and forwarded to the chief.